

IN THE
United States Court of Appeals for the Eighth Circuit

NOVARTIS PHARMACEUTICALS CORPORATION,

Plaintiff-Appellant,

v.

ANDREW BAILEY, in his official capacity as Attorney General of the State of Missouri;
JAMES L. GRAY, in his official capacity as President of the Missouri Board of Pharmacy;
CHRISTIAN S. TADRUS, in his official capacity as Vice President of the Missouri Board of
Pharmacy; DOUGLAS R. LANG, in his official capacity as a member of the Missouri Board
of Pharmacy; COLBY GROVE, in his official capacity as a member of the Missouri Board
of Pharmacy; ANITA K. PARRAN, in her official capacity as a member of the Missouri
Board of Pharmacy; TAMMY THOMPSON, in her official capacity as a member of the
Missouri Board of Pharmacy; and DARREN HARRIS, in his official capacity as a member
of the Missouri Board of Pharmacy,

Defendants-Appellees,

—and—

MISSOURI HOSPITAL ASSOCIATION and MISSOURI PRIMARY CARE ASSOCIATION,

Intervenors-Appellees.

On Appeal from the United States District Court for the Western District of Missouri

2:24-cv-04131-MDH

The Honorable M. Douglas Harpool

PLAINTIFF-APPELLANT’S UNOPPOSED MOTION FOR EXTENSION OF TIME

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August 26, 2025

Counsel for Plaintiff-Appellant

MOTION FOR EXTENSION OF TIME

Plaintiff-Appellant moves, under Federal Rule of Appellate Procedure 26(b), for a 30-day extension of time to file its reply brief. In support thereof, Appellant states the following:

1. Appellant's reply brief is currently due on September 8, 2025. With the 30-day extension requested in this motion, the reply brief would be due on Wednesday, October 8, 2025.

2. This is Appellant's first extension request. Counsel for Defendant-Appellee and Appellee-Intervenors have stated that they do not oppose this request.

3. Good cause exists for this requested extension. Lead Counsel has a number of upcoming deadlines in other matters, including: a petition for certiorari in *Feldman v. Sullivan*, No. 24A1278 (U.S.), due August 28, 2025; a response brief in *Asinga v. Gatorade*, No. 25-1378 (2d. Cir.), due August 29, 2025; an intervenor brief in *Public Employees for Env. Resp. v. Zeldin*, No. 24-5294 (D.C. Cir.), due August 29, 2025; a petition for rehearing in *Avient Corporation v. Westlake Vinyls, Inc.*, No. 24-05989 (6th Cir.), due September 2, 2025; an oral argument in *Novartis v. Brown* and *Novartis v. McCuskey*, Nos. 24-1939, 24-1054 (4th Cir.), on September 9, 2025; an answering brief in *McGuire v. Johnson*, No. 25-01457 (9th Cir.), due on September 15, 2025; a brief in opposition to certiorari due in *Chatom Primary Care, P.C. v. Merck & Co.*, No. 24-25 (U.S.), due September 12, 2025; and a response

brief in *Cleveland Bakers & Teamsters Health & Welfare Fund v. AMAG Pharms, Inc.*, No. 25-1334 (1st Cir.), due on October 20, 2025.

For these reasons, Appellant requests that this Court grant the unopposed motion for a 30-day extension of time to file Appellant's reply brief.

Respectfully submitted,

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Counsel for Plaintiff-Appellant

CERTIFICATE OF COMPLIANCE

1. This brief complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because it contains 274 words, excluding the parts of the brief exempted by Fed. R. App. P. 32(f).

2. This brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Office 365 in Times New Roman 14-point font.

3. The electronic version of this motion has been scanned for viruses and has been found to be virus free.

/s/ Jessica L. Ellsworth
Jessica L. Ellsworth

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eighth Circuit by using the Court's CM/ECF system on August 26, 2025. All counsel of record are registered CM/ECF users, and service will be accomplished by the CM/ECF system.

/s/ Jessica L. Ellsworth
Jessica L. Ellsworth